

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA
EASTERN DIVISION
NO.: 4:19-cv-67

IRENE BILLUPS,)
Plaintiff,)
v.) COMPLAINT
U.S POSTAL SERVICE,)
Defendant.)

PARTIES TO THE CASE

1. Plaintiff, Irene Billups, is a citizen and resident of Vance County, NC.
2. Defendant United States Postal Service (hereinafter referred to as U.S.P.S.).

JURISDICTION AND VENUE

3. This Court has federal jurisdiction over this action pursuant to the Federal Tort Claims Act, 28 U.S.C. § 2401(b) and 39 C.F.R. 912.9(a) because this action arises under the negligence of employees of the United States to perform their duty.

NATURE OF CASE

4. On or about January 29, 2018, Plaintiff Billups was lawfully on the premises of USPS located at 905 S. Garnett Street, in Henderson, NC, while attempting to take care of a postal transaction.
5. On or about January 29, 2018, there was a clear liquid located on the floor of the USPS located at 905 S. Garnett Street, in Henderson, NC.

6. On or about January 29, 2018, Gwen O'Neal was working in her official capacity as a postal worker at the USPS located at 905 S. Garnett Street, in Henderson, NC.
7. On or about January 29, 2018, there was no notice to the general public of any danger rising from any liquids on the floor of the USPS located at 905 S. Garnett Street, in Henderson, NC.
8. Defendant U.S.P.S. owed a duty of care to the general public to ensure that the premises was in a safe and non-hazardous condition.
9. On or about January 29, 2018, as a result of the lack of the duty of care to the general public, Plaintiff Billups slipped and fell on the clear liquid located on the floor of the USPS located at 905 S. Garnett Street, in Henderson, NC.
10. On or about January 29, 2018, postal worker Gwen O'Neal took an incident report of Plaintiff Billups' fall.
11. On or about January 29, 2018, postal worker Gwen O'Neal took pictures of Plaintiff Billups' knees after her fall at the USPS located at 905 S. Garnett Street, in Henderson, NC
12. As the sole, direct and proximate result of the lack of the duty of care to the general public caused by the negligence of Defendant USPS, Plaintiff Billups sustained multiple bodily injuries and received medical treatment.
13. As the sole, direct and proximate result of the lack of the duty of care to the general public caused by the negligence of Defendant USPS, Plaintiff Billups sustained pain and suffering and mental anguish.

WHEREFORE, Plaintiff prays for the following relief against Defendants: That Plaintiff Billups be granted in excess of Twenty Thousand Dollars, (\$20,000.00) as fair compensation for her bodily injuries, medical expenses, pain and suffering, and mental anguish, plus interest, and attorney fees.

1. That the costs of this action be taxed to the Defendants; and
2. For such other relief as the Court may deem just and equitable.

Demand For Jury Trial

Plaintiff, Irene Billups, demands a trial by jury on all issues.

This the 5th day of May, 2019.

Respectfully submitted,

LAW OFFICE OF ELAINE B. WILSON

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complaint has been electronically filed with the Clerk of Court using the CM/ECF filing system.

LAW OFFICE OF ELAINE B. WILSON

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